

PATENT
10/059,011

C. REMARKS

Interview Summary

On July 12, 2005, 10 AM EST, an interview was conducted via telephone between Amy Pattillo, Applicants' Representative, and Examiner Cunningham. No exhibits were shown, nor demonstrations conducted.

First, Applicants' representative and the Examiner discussed claim 1, and in particular a proposal to amend claim 1. Claims 1, 11, and 21 are amended in this response as proposed in the interview, including additional limitations in the present response. Since the proposed amendment does not just incorporate dependent claim elements, the Examiner stated that a further search would need to be conducted in view of the amendments. No agreement was reached with respect to the claims. Applicant is filing this response for further review by the Examiner.

Status of Claims

Claims 1, 2, 4, 6-12, 14, 16-22, 24-27, and 31-33 are pending in the application. Claims 1, 2, 6, 9, 11, 12, 16, 19, 21, 24, 26, and 31-33 are amended. Claims 3, 5, 13, 15, 23, and 28-30 are cancelled.

35 USC § 102(a)

Claims 1, 2, 5-10, 11, 12, 15-20, 21, and 23-33 stand rejected under 35 U.S.C. §102(a) as being disclosed by Samar (US Patent 6,563,514) "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed Cir. 1987). Furthermore the reference must be an enabling disclosure of each and every element as set forth in the claim. *In re Hoecksmas*, 158 USPQ 596, 600 (CCPA 1968); *In re LeGrive*, 133 USPQ 365, 372 (CCPA 1962). Because Samar no longer teaches each and every element of claims 1, 2, 5-10, 11, 12, 15-20, 21, and 23-33 or enables each and every element of these

AUS920010514US1

15

PATENT
10/059,011

claims, these claims are not anticipated, the rejection should be withdrawn, and the claims should be allowed.

Claims 1, 11, and 21

Independent method claim 1, which is representative of independent system claim 11 and independent computer program product claim 21, with regard to similarly recited subject matter and rejection, reads as follows:

1. (Currently Amended) A method for displaying resource aids in a display area, said method comprising the steps of:
 - monitoring a separate status of each of a plurality of computer resources comprising at least one processing resource, at least one storage resource, at least one memory resource, at least one software resource, and at least one graphical resource;
 - displaying a user interface comprising at least one displayable object within a display area with a plurality of separate cursor position sensitive regions each graphically distinguished within a total display region of said displayable object solely for triggering a transparent resource aid upon detection of a cursor, wherein each of said plurality of cursor position sensitive regions is associated with a separate selection of monitored resources from among said plurality of monitored computer resources;
 - comparing said separate status of each of said plurality of computer resources with at least one user specified threshold for each of said plurality of computer resources; and
 - responsive to [an initiating event, wherein said initiating event is a position of] detecting at least one from among said separate status for at least one of said separate selection of monitored resources associated with a particular cursor position sensitive region exceeding said threshold and [a] said cursor positioned over [a] said particular cursor position sensitive region from among said plurality of cursor position sensitive regions of said displayable object, placing a transparent resource aid within said display area in association with said [at least one] displayable object, wherein said transparent resource aid presents said separate status of said separate selection of monitored resources associated with said particular cursor position sensitive region, such that said at least one displayable object is not obscured by said transparent resource aid.

In particular, with respect to claim 1 prior to the amendment, the Examiner stated the following grounds of rejection:

AUS920010514US1

16

PATENT
10/059,011

Samar discloses claim 1, "A method for displaying resource aids in a display area, said method comprising the steps of:

Displaying a user interface comprising at least one displayable object within a display area; and responsive to an initiating event, wherein said initiating event is a position of a cursor over a sensitive area of said displayable object [col. 4, lns. 39-45], placing a transparent [col. 9, lns. 34-36] resource aid within said display area in association with said at least one displayable object, such that said at least one displayable object is not obscured by said transparent resource aid [col. 4, lns. 21-45]" as [detailed]. Wherein [The bubble software configures a processing system such that when a pointer or cursor is positioned by a user over an item of interest] corresponds to "cursor placement" and [item of interest] corresponds to "sensitive region".

In particular, Samar describes

"a system in which, over communication medium such as the Internet in an interactive scenario, a pointer or cursor is located by a user over an item of interest, and without further interaction from the user, information related to the item of interest is retrieved and displayed to the user. The user is not required to click on (or otherwise select) a hypertext link." *Samar*, col. 2, lines 39-45.

Applicants have amended claim 1 to distinguish the invention from Samar and therefore traverse the amended elements in view of Samar. Applicants respectfully assert that Samar does not teach, expressly or inherently, or enable the invention of amended claim 1 because Samar does not teach or enable at least one of the elements of amended claim 1.

Samar does not teach monitoring a separate status of each of a plurality of computer resources comprising at least one processing resource, at least one storage resource, at least one memory resource, at least one software resource, and at least one graphical resource

With respect to the amended element of monitoring a separate status of each of a plurality of computer resources comprising at least one processing resource, at least one storage resource, at least one memory resource, at least one software resource, and at least one graphical resource, Applicants note that dependent claim 5 previously read: "monitoring performance of a plurality of parts of a computer system; and compiling information for said transparent resource aid from said monitored performance for a selection from among said plurality of parts". The Examiner rejected claim 5 in view of col. 2, line 53-col. 3, line 16; col. 5, lines 5-14; and col. 6 lines 62-
AUS920010514US1

PATENT
10/059,011

col. 7, line 47 which . [Office Action, p. 3] Applicants respectfully assert that regardless of the Examiner's previous interpretation, Samar does not teach, expressly or inherently, the amended element of monitoring a separate status of each of a plurality of computer resources including at least one processing resource, at least one storage resource, at least one memory resource, at least one software resource, and at least one graphical resource. The specification supports the amended elements throughout, and in particular, in paragraphs 0038 and 0039.

Samar does not teach displaying a user interface comprising at least one displayable object within a display area with a plurality of separate cursor position sensitive regions each graphically distinguished within a total display region of said displayable object for triggering a transparent resource aid upon detection of a cursor, wherein each of said plurality of cursor position sensitive regions is associated with a separate selection of monitored resources from among said plurality of monitored computer resources

Applicants respectfully assert that Samar does not teach displaying a plurality of separate cursor position sensitive regions each graphically distinguished within a total display region of a displayable object for triggering a transparent resource aid upon detection of a cursor. The Examiner cites col. 4, lines 39-45 as teaching the previous element of "wherein said initiating event is a position of a cursor over a sensitive area of said displayable object." Col. 4, lines 39-45 of Samar, as cited by the Examiner, reads:

The bubble software configures a processing system such that when a pointer or cursor is positioned by a user over an item of interest, and without further interaction from the user, information related to the item of interest is retrieved locally and/or remotely and then presented to the user. The user is not required to click on (or otherwise select) a hypertext link.

Further, the Examiner interprets that "wherein [The bubble software configures a processing system such that when a pointer or cursor is positioned by a user over an item of interest] corresponds to "cursor placement" and [item of interest] corresponds to "sensitive region"." [Office Action, p. 2]

Applicants amend claim 1 to clarify that a displayable object includes multiple separate cursor position sensitive regions that are graphically distinguished for triggering a transparent resource aid upon detection of a cursor. Applicants note that one example of the "item of

AUS920010514US1

PATENT
10/059,011

interest” described in Samar is a “word” in a word processor application, where “once configured with the user’s preferences for the bubble software 402, the bubble software 302 checks to see if the pointer or cursor has “hovered over” (i.e. is positioned in proximity to) an item, in this case a word, for at least a period of time T 406...” See Samar, col. 5, lines 23-35. Thus, Samar describes a program that determines whether a hovered over graphical item is an “item of interest.” Samar does not teach specifying an “item of interest” that is graphically distinguished for triggering a transparent resource aid upon detection of a cursor. Thus, Samar does not teach the amended element of displaying, within a total display region of a displayable object, multiple separate cursor sensitive regions that are each graphically distinguishable for triggering a transparent resource aid upon detection of a cursor. The specification supports the amendment throughout, and in particular in Figure 5, elements 52a-52n and 102a-102n and paragraphs 0041, 0069, 0076.

Samar does not teach comparing said separate status of each of said plurality of computer resources with at least one user specified threshold for each of said plurality of computer resources

Applicants respectfully assert that Samar does not teach at least one element of claim 1 because Samar does not teach the amended element of comparing said separate status of each of said plurality of computer resources with at least one user specified threshold for each of said plurality of computer resources. The specification supports the amendment throughout, and in particular in paragraphs 0041, 0061-0064, and 0078.

Samar does not teach responsive to detecting at least one from among said separate status for at least one of said separate selection of monitored resources associated with a particular cursor position sensitive region exceeding said threshold and said cursor positioned over said particular cursor position sensitive region from among said plurality of cursor position sensitive regions of said displayable object, placing a transparent resource aid within said display area in association with said displayable object, wherein said transparent resource aid presents said separate status of said separate selection of monitor resources associated with said particular cursor position sensitive region

AUS920010514US1

19

PATENT
10/059,011

The Examiner previously stated that Samar taught “responsive to an initiating event, wherein said initiating event is a position of a cursor over a sensitive area of said displayable object [col. 4, lns. 39-45], placing a transparent [col. 9, lns. 34-36] resource aid within said display area in association with said at least one displayable object, such that said at least one displayable object is not obscured by said transparent resource aid [col. 4, lns. 21-45]” as [detailed].” [Office Action, p. 2] Regardless of the interpretation by the Examiner, Applicants amend claim 1 to clarify that the transparent resource aid is triggered responsive to detecting at least one of (1) one of the separate selection of monitored resources associated with a particular cursor position sensitive region exceeding the threshold or (2) the cursor positioned over the particular cursor position sensitive region. Applicants respectfully assert that Samar does not teach at least one element of claim 1 because Samar does not teach the amended element of responding to detection of at least one of a status of a selection of monitored resources associated with a particular cursor position sensitive region exceeding the threshold or the cursor positioned over the particular cursor position sensitive region. Additionally, Applicants respectfully assert that Samar does not teach placing a transparent resource aid in association with the displayable object that presents the status of the selection of monitored resources associated with the particular cursor position sensitive region because, as previously discussed, Samar does not teach monitoring the plurality of computer resources. The specification supports the amendments throughout and in particular, paragraphs 0037-0039, 0041, 0061-0064, and 0078-0080.

In conclusion, because Samar does not teach, expressly or inherently, or enable at least one element of claim 1, Samar does not anticipate claim 1 and the claim should be allowed. In addition, since Samar no longer anticipates claim 1, Samar also no longer anticipates similarly amended claims 11 and 21, previously rejected on the same grounds as claim 1.

AUS920010514US1

20

PATENT
10/059,011

Claims 2, 5-10, 12, 15-20, and 23-28

Because Samar does not anticipate claims 1, 11, and 21, at least by virtue of their dependency on claims 1, 11, and 21, Samar does not teach or enable the features of dependent claims 2, 6-10, 12, 16-20, and 24-28 under 35 U.S.C. §102 (a). Because anticipation is not established for claims 2, 6-10, 12, 16-20, and 24-28, Applicants respectfully request allowance of claims 2, 6-10, 12, 16-20, and 24-28. Claims 5, 15, and 23 are now canceled.

Applicants note that claims 2 and 12 are amended in view of the amendments to claims 1, 11, and 21 and in view of the specification, paragraphs 0041 and 0059, to teach the element of responsive to detecting said initiating event, wherein said initiating event is at least one of a cursor placement, an occurrence of a user-defined event, and a user input of one of a keystroke or a voice command and detecting said cursor position over said particular cursor position sensitive region from among said plurality of cursor position sensitive regions of said displayable object, placing said transparent resource aid within said display area in association with said displayable object.

Claims 9, 19, and 26 are amended in view of the amendments to claims 1, 11, and 21.

In addition, with regard to claims 6, 16, and 24, Applicants respectfully assert that Samar does not teach at least one element of each of claims 6, 16, and 24. Dependent method claim 6, which is representative of dependent system claim 16 and dependent computer program product claim 24, with regard to similarly recited subject matter and rejection, reads as follows:

6. (Currently Amended) The method for displaying resource aids in accordance with claim 1, said method further comprising the steps of:
monitoring said separate status of said at least one graphical resource from a plurality of transparency setting[s] for each of a plurality of said displayable object[s] displayed within said user interface and a criteria used to specify said transparency setting; and
~~compiling information for said transparency resource aid from said monitored transparency settings.~~

In particular, with respect to claim 6 prior to the amendment, the Examiner stated the following grounds of rejection:

Samar discloses claim 6, "The method for displaying resource aids in accordance with claim 1, said method further comprising the steps of:

AUS920010514US1

21

PATENT
10/059,011

monitoring a plurality of transparency settings for each of a plurality of displayable objects displayed within said user interface; and compiling information for said transparency resource aid from said monitored transparency settings" supra for claim 1. Wherein [the bubble software configures a processing system such that when a pointer or cursor is positioned by a user over an item of interest, and without further interaction from the user, information related to the item of interest is retrieved locally and/or remotely and then presented to the user] corresponds to "monitoring plurality of displayable objects displayed within said user interface; and compiling information" and [The bubble may also take on a variety of colors, shapes, shadings, and transparency levels] corresponds to 'a plurality of transparency settings'. Thus Samar inherently discloses information related to the item of interest for bubble transparency levels. [Office Action, p. 4]

Applicants amend claim 6 to clarify that in monitoring the status of a graphical resource, where the status may be displayed in a transparent resource aid, both the transparency of the displayable object in association with the transparent resource aid may be displayed, and the criteria used to specify the transparency of the displayable object, are included in the monitored status. Regardless of the Examiner's previous interpretation of the inherent disclosure of Samar, Samar does not teach monitoring the status of a graphical resource that includes both the transparency of a displayable object and the criteria used to specify the transparency of the displayable object. The specification supports the amendment throughout, and in particular in paragraphs 0039 and 0074-0078.

Therefore, because Samar does not teach, expressly or inherently, or enable at least one element of claim 6, Samar does not anticipate claim 6 and the claim should be allowed. In addition, since Samar no longer anticipates claim 6, Samar also no longer anticipates similarly amended claims 16 and 24 which are rejected on the same grounds as claim 6.

Claims 28-30

Applicants previous added independent claims 28-30 in a response dated 10/12/2004, based on the Examiner's assertion on p. 5 of the office action dated 7/12/2004 that claim 5 was objected to as being dependent upon a rejected based claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim. In the Office Action dated 4/14/2005, the Examiner rejected claims 28-30 as "directed to a method, system, and program, AUS920010514US1

PATENT
10/059,011

respectively, for performing the method of independent claim 1 and dependent claim 5, and therefore are rejected to independent claim 1 and dependent claim 5.” [Office Action, p. 5] In the present response, Applicants cancel claims 28-30.

Claims 31-33

In addition, Applicants previous added independent claims 31-33 in a response dated 10/12/2004, based on the Examiner’s assertion on p. 5 of the office action dated 7/12/2004 that claim 9 was objected to as being dependent upon a rejected based claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim. In the Office Action dated 4/14/2005, the Examiner rejected claims 31-33 as “directed to a method, system, and program, respectively, for performing the method of independent claim 1 and dependent claim 9, and therefore are rejected to independent claim 1 and dependent claim 9.” [Office Action, p. 5] In the present response, Applicants amend claims 31-33 to incorporate the elements of amended claims 1, 11, and 21. Since Samar does not anticipate amended claims 1, 11, and 21, Applicants respectfully assert that Samar also does not anticipate amended claims 31-33 that incorporate claims 1, 11, and 21, respectively. Therefore, because claims 31-33 are not anticipated by Samar, Applicants respectfully request allowance of claims 31-33.

35 USC § 103(a)

Claims 4, 14, and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Samar (US 6,563,514), as applied to claims 1, 11, and 21 and further in view of Higashiyama et al (US Patent Number 6,842,183). Applicants note the above proposition that amended claims 1, 11 and 21 are not taught by Samar and therefore Applicants assert that as dependent claims of allowable subject matter, claims 4, 14, and 22 should also be allowed. Further, Applicants assert that because claims 1, 11, and 21 are not taught by Samar, the combination of Samar and Higashiyama et al. does not teach at least one element of claims 4, 14, and 22 and therefore the dependent claims should be allowed.

AUS920010514US1

23

PATENT
10/059,011

Conclusion

Applicants note the citation of pertinent prior art cited by the Examiner.

In view of the foregoing, withdrawal of the rejections and the allowance of the current pending claims is respectfully requested. If the Examiner feels that the pending claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment. Further, Applicants reiterate the request for a telephone conference with the Examiner at the Examiner's earliest convenience.

Respectfully submitted,

 m 7/13/05

Amy J. Pattillo
Attorney for Applicants
Reg. No 46,983
P.O. Box 161327
Austin, Tx 78716
512.402.9820 *vox*
512.306.0417 *fax*

AUS920010514US1

24